Due Date: N/A

Applicant: Mark Scott Art Unit: 2756

Examiner: To be assigned

Application No.: 09/430,297 Docket: 1848.0040000

Filed: October 29, 1999 Atty: MVM

For: System, Method, and Computer Program Product for Point-to-Point Bandwidth

Conservation in an IP Network

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. PTO Cover Letter (in duplicate);

2. Information Disclosure Statement (in duplicate);

3. PTO Form 1449 listing and enclosing nine (9) references (AR1, AS1, AT1, AR2, AS2, AT2, AR3, AS3, and AT3); and

4. One (1) return postcard.

Please Date Stamp And Return To Our Courier





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mark Scott

Appl. No. 09/430,297

Filed: October 29, 1999

For:

System, Method, and Computer

Program Product for Point-to-Point Bandwidth Conservation in

a IP Network

Art Unit: 2756

Examiner: To Be Assigned

Atty. Docket: 1848.0040000



Information Disclosure Statement

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicant has listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not

exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicant has checked the appropriate boxes below.

- 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement or fee is required.
- □ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - □ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - □ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
 - □ c. Attached is our Check No. _____ in the amount of \$ ____ in payment of the fee under 37 C.F.R. § 1.17(p).
- □ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. A separate Petition to the Group Director, requesting consideration of this Information Disclosure Statement, is concurrently submitted herewith, along with our Check No. ______ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(i).
 - □ a. I hereby state that each item of information contained in this Information

 Disclosure Statement was cited in a communication from a foreign patent

 office in a counterpart foreign application not more than three months

prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- □ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- □ 4. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- □ 5. A concise explanation of the relevance of the non-English language document(s) appears below:

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michael V. Messinger

Attorney for Applicant Registration No. 37,575

Date: 3 17

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